

The Greater Harrodsburg/Mercer County
BOARD OF ADJUSTMENTS AND APPEALS
109 Short Street
Harrodsburg, Kentucky 40330
(859)-734-6066

MINUTES

Date: July 13, 2006

Time: 4:30 p.m.

1. Chairperson called the meeting to order:

A. Introduction/Oath of New Board Member – Norris Flynn

Attorney Patrick swore in the new Board Member, Norris Flynn.

B. Roll Call of Members:

Board Members Present:

Bob Upchurch
Jim Mansfield
Chad Horn
Norris Flynn

Staff Present:

David Patrick, Staff Attorney
Shawn Moore, Executive Director
Jane Campbell, Admin. Assistant
Nan Young, Enforcement Officer

C. Adoption of the June 8, 2006 minutes.

A motion was made by Member Mansfield and seconded by Member Horn to approve the minutes of June 8, 2006 as submitted. Roll call vote was unanimous. Motion carried.

2. OLD BUSINESS: None

3. NEW BUSINESS:

1. 09-06 – Harold Reynolds is seeking a Conditional Use Permit for the construction and operation of a private airport for personal use on his property located on Kirkwood Road in Salvisa, Kentucky. The zoning map indicates this property is zoned A-2 (Agricultural). The applicant, Harold Reynolds, was sworn in and testimony was taken from the applicant who resides at 140 Baxter Road in Salvisa, Kentucky. Arthur Delbert Reynolds, who resides at 2924 Kirkwood Road, was present and after being sworn in spoke in favor of the request. With no further testimony received, staff findings and recommendations were presented to the Board on this request. It is the recommendation of staff that the Conditional Use Permit be granted under the following conditions:

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- a) Applicant shall provide a copy of the approved FAA Form 7480-1 upon receipt and before the Conditional Use Permit is exercised.
- b) That the applicant uses the runway for his personal use only.
- c) No "fly-in" events are hosted at this location of the runway.
- d) The runway be used only for daylight landings and take-offs.
- e) That the granting of the Conditional Use Permit does not exempt the applicant from complying with all of the requirements of the zoning regulations.
- f) That the permit may be extended an additional 90 days only in the event of unforeseen circumstances deemed to be beyond the control of the applicant by the Board of Adjustments.
- g) The applicant returns to the Board of Adjustments & Appeals **PRIOR** to any changes in the scope of the approved Conditional Use Permit.
- h) That the Conditional Use Permit become null and void upon sale or transfer of the property.

A motion was made by Member Mansfield and seconded by Member Horn to accept and adopt staff findings to approve the Conditional Use Permit with the above following conditions as listed. Roll call vote was unanimous. Motion carried.

2. 10-06 – Michael & Susan Phelps are seeking a Conditional Use Permit for the operation of a photography studio located on 1060 Industry Road in Harrodsburg, Kentucky. The property owners are Roger & Carol Botts. The zoning map indicates this property is zoned I-1 (Light Industrial). The applicant, Susan Phelps, was sworn in and testimony was taken from the applicant who resides at 1060 Industry Road in Harrodsburg, Kentucky. No comment or opposition was presented from the public. Staff findings and recommendations were presented to the Board on this request. It is the recommendation of staff that the Conditional Use Permit be granted under the following conditions:

- a) The number of rooms used for the studio be limited to three (3).
- b) The number of employees be limited to two (2) other than resident family.
- c) Off-street parking be constructed or designated for the clients and employees without impacting Industry Road.
- d) That operation of the studio commence within one year of the granting of the Conditional Use Permit.
- e) That the granting of the Conditional Use Permit does not exempt the applicant from complying with all of the requirements of the zoning regulations.
- f) That the applicant return to the Board of Adjustments & Appeals **PRIOR** to any changes in the scope of operation of the approved Conditional Use Permit.
- g) That the Conditional Use Permit become null and void upon sale or transfer of the property from the applicant.
- h) The hours of operation will be from 9:00am-5:00pm Monday through Friday,

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9:00am-12:00pm Saturday and Sunday by appointment only.

- i) A sign permit must be obtained for the photography studio.

A motion was made by Member Horn and seconded by Member Mansfield to accept and adopt staff findings to approve the Conditional Use Permit with the above following conditions as listed. Roll call vote was unanimous. Motion carried.

11-06 – Melissa Hughes is seeking a Conditional Use Permit for the placement of an off-premise sign for Royalty's Fishing Camp & Marina located at the intersection of Curdsville Road and Normans Camp Road in Mercer County, Kentucky. The property owner is Robert Pingleton. The zoning map indicates this property is zoned I-1 (Light Industrial). The applicant, Melissa Hughes, was sworn in and testimony was taken from the applicant who resides at 940 Normans Camp Road in Mercer County, Kentucky. No comment or opposition was presented from the public. Staff findings and recommendations were presented to the Board on this request. It is the recommendation of staff that the Conditional Use Permit be granted under the following conditions:

- a) Applicant conforms to all of the requirements of Section 1060 of the Mercer County Zoning Ordinance.
- b) That the granting of the Conditional Use Permit does not exempt the applicant from complying with all of the requirements of the zoning regulations.
- c) That the applicant return to the Board of Adjustments & Appeals **PRIOR** to any changes in the scope of operation of the approved Conditional Use Permit.
- d) That the Conditional Use Permit become null and void upon sale or transfer of the property from the applicant.

4. Executive Session (Litigation)

A motion was made by Member Flynn and seconded by Member Horn to go into executive session for the purpose of discussing litigation. Motion unanimously carried. A motion was made by Member Horn and seconded by Member Mansfield to come out of executive session. Motion unanimously carried. No action was taken from executive session.

With no further business being brought before the Board, a motion to adjourn was made by Member Flynn and seconded by Member Horn. The meeting adjourned at 5:20 pm.